

PART 6  
of 7

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11/3/05

Rochelle L. Olsen

Signature

Rochelle L. Olsen

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: \_\_\_\_\_ of (Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

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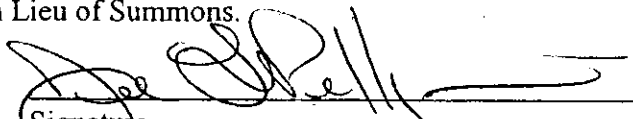
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Date: 9/25/05

  
Signature  
Deborah L. Pelligrini  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
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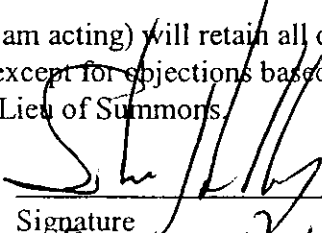
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Date: 9-22-05

  
Signature

STEVE PELLEGRINI  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

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Date: 10-26-05



Signature

Linda Lou Perman

Printed/Typed Name

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\_\_\_\_\_  
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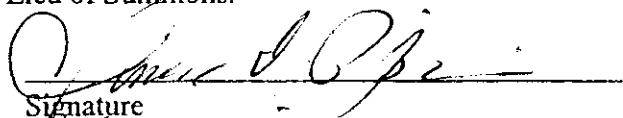
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Date: 11-1-2005

  
Signature

JIMMY D. PIPKIN  
Printed/Typed Name

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acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

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Date: 10-26-05

Rose M. Pipkin

Signature

ROSE M. PIPKIN

Printed/Typed Name

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Date: 10/10/05

Charles R Price  
Signature  
Charles R Price  
Printed/Typed Name

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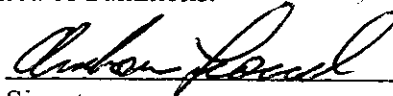
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Date: 11-7-05



Signature

ANDREW PROUD

Printed/Typed Name

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acting as: \_\_\_\_\_ of  
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\_\_\_\_\_  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk  
United States District Court for the  
District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of  
Summons, I am mailing a copy of this document to:

Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
P.O. Box 756  
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections  
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect  
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent  
me in these proceedings, I identify that attorney below, along with his or her mailing address,  
telephone number, and facsimile number:



1 Attorney:

2  
3 Address: 4841 N. HENTON AVE.  
4 COVINA, CA. 91724-1615  
5

6 Phone Number: 626-331-6159

7 Fax Number:

8 

9 (Signature)

10  
11 ANDREW PROUD

12 (Printed or typed Name)

13  
14  
15 (Entity, if any, on whose  
16 behalf you are appearing)

17  
18 (Address)

19 (Telephone number)  
20  
21  
22  
23  
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25  
26  
27  
28

EXHIBIT 11

**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

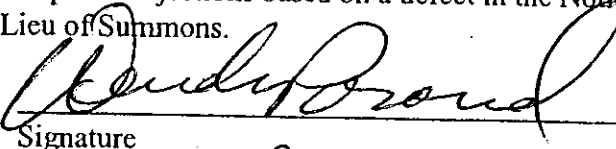
2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER – DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.

3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 11-07-05



Signature

WENDY PROUD

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk  
United States District Court for the  
District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of  
Summons. I am mailing a copy of this document to:

Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
P.O. Box 756  
Littleton, Colorado 80160

4. I (or the entity on whose behalf I am acting) will retain all defenses or objections  
to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect  
in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

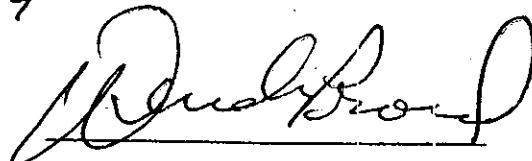
5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent  
me in these proceedings. I identify that attorney below, along with his or her mailing address,  
telephone number, and facsimile number:

1 Attorney:

2  
3 Address: 4841 N. HENTON AVE.  
4 COVINA, CA. 91724-1615  
5

6 Phone Number: 626-331-6159

7 Fax Number:

8 

9 (Signature)

10  
11 WENDY PROUD

12 (Printed or typed Name)

13  
14  
15 (Entity, if any, on whose  
16 behalf you are appearing)

17  
18 (Address)

19 (Telephone number)  
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**WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS**

TO: Susan L. Schneider, attorney for the United States of America

1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.

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3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

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Date: 10/13/05

RGGS Land & Minerals, Ltd., L.P.  
909 Fannin Street – Suite 2600  
Houston, TX 77010  
713-951-0100  
Fax: 713-951-0191

Sig: RGGS LAND & MINERALS, LTD., L.P.  
By: Gordy Oil Company, a Texas corporation,  
Its General Partner

Prin By: Thomas R. Speck ntify that you are  
If yc Thomas R. Speck, Vice President of  
(Title)

(Corporate, Trust, Partnership or other entity)

**Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons**

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service : Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,

IN EQUITY NO. C-125

SUBFILE NO. C-125-B

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

1. I hereby enter my appearance in this sub-proceeding in this case.

2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk  
United States District Court for the  
District of Nevada  
400 South Virginia Street, Suite 301  
Reno, Nevada 89501

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Susan L. Schneider  
Attorney for the United States of America  
United States Department of Justice  
Environment & Natural Resources Division  
P.O. Box 756  
Littleton, Colorado 80160

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in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent  
me in these proceedings, I identify that attorney below, along with his or her mailing address,  
telephone number, and facsimile number:



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28

Attorney:

NONE AT THIS TIME

Address:

Phone Number:

Fax Number:

RGGS LAND & MINERALS, LTD., L.P.

By: Gordy Oil Company, a Texas corporation,  
Its General Partner

By: Thomas R. Speck  
Thomas R. Speck, Vice President

RGGS Land & Minerals, Ltd., L.P.

909 Fannin Street – Suite 2600

Houston, TX 77010

713-951-0100

Fax: 713-951-0191

(Entity, if any, on whose  
behalf you are appearing)

(Address)

(Telephone number)



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Date: 11/4/05

Barbara J Reed  
Signature  
BARBARA J REED  
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are  
acting as: \_\_\_\_\_ of  
(Title)

\_\_\_\_\_  
(Corporate, Trust, Partnership or other entity)

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

1 water rights that the undersigned (or the entity on whose behalf the undersigned is acting) once  
2 owned before the undersigned was served with a Waiver of Service of Notice in Lieu of  
3 Summons or by a Notice in Lieu of Summons, the undersigned provides the following  
4 additional information:

5 1. The name and address of the party or parties who sold or otherwise conveyed  
6 ownership:

7 Name(s): *Raymond & Sandra Mazy*

8  
9 Street or P.O. Box: *133 Northpointe Circle*

10  
11 Town or City: *Dayton*

12  
13 State: *NV*

14  
15 Zip Code: *89403*

16  
17 2. The name and address of each person or entity who acquired ownership

18  
19 Name(s): *Alvin S + Barbara J Reed*

20  
21 Street or P.O. Box: *4 Park Dr*

22  
23 Town or City: *Carson City*

24  
25 State: *NV*

26  
27 Zip Code: *89706*

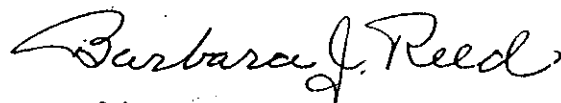
1  
2  
3 3. Attached to or included with this notice is a copy of the (check appropriate  
4 box(es)):

- 5  
6 ☐ Deed  
7 ☐ Court Order  
8 ☒ Other Document.

9  
10 by which the change in ownership was accomplished.

11 4. The undersigned acknowledges that any person or entity who files a Disclaimer  
12 of Interest in this matter is ultimately responsible for the accuracy of this filing. Consequently,  
13 the undersigned acknowledges that any person or entity who files a Disclaimer of Interest, but,  
14 in fact, has water rights subject to this litigation, shall nevertheless be bound by the results of  
15 this litigation.

16  
17 Executed this 4<sup>th</sup> day of November 2005.

18  
19  
20  
21 

22 [signature of counter-defendant]

23  
24  
25  
26 [name of counter-defendant]  
27  
28

RAYMOND M. MAZY and SANDRA L. MAZY, husband and wife

consideration of \$10.00, the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and Convey to

ALVIN STANLEY REED and BARBARA JEAN REED, husband and wife as Joint Tenants

to the heirs and assigns of such Grantee forever, all that real property situated in the County of LYON State of Nevada, bounded and described as follows:

that certain real property being a portion of the NE 1/4 of NW 1/4 of Section 32, T 16 N, R 21 E, M.D.B. & M., Lyon County, Nevada, and being a portion of Parcel H, Lyon County Parcel Map 43203, described as follows:

Parcel 1 as shown on the Parcel Map for Raymond and Sandra Mazy, recorded in the Official Records of Lyon County, Nevada on March 4, 1988 as Document No. 1082.

No. 16-251-26

together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof.

Witness our hands this 20th day of February, 1996.

STATE OF NEVADA

County of Carson City

February 20, 1996

personally appeared before me,

Notary Public,

Raymond M. Mazy and

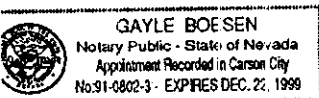
Sandra L. Mazy

acknowledged that they executed the above instrument.

Notary Public

*Raymond M. Mazy*  
RAYMOND M. MAZY  
*Sandra L. Mazy*  
SANDRA L. MAZY

ORDER NO. TSL-15845  
ESCROW NO. C14364GLB



WHEN RECORDED MAIL TO:  
ALVIN STANLEY REED  
4160 Mina Way  
Carson City, Nv. 89706

grantor(s) declare(s):

Documentary transfer tax is \$80.60

) computed on full value of property conveyed, or

) computed on full value less value of liens

and encumbrances remaining at time of sale.

FOR RECORDER'S USE

ALL TAX STATEMENTS TO:

ALVIN STANLEY REED

Same as above

SCARPELLO & ALLING  
ATTORNEYS AT LAW

SON CITY OFFICE  
E. WILLIAM ST., #301  
SON CITY, NV 89701  
(2) 882-4577

LAKE TAHOE OFFICE  
KINGSBURY SQUARE  
P.O. BOX 3390  
STATELINE, NV 89449  
(702) 588-6676

MICROFILMED

190403

OFFICIAL RECORDS  
LYON COUNTY, NEV.  
RECORD REQUESTED BY

Title Service & Escrow Co.

96 FEB 21 PM 1:59

NANCY K. CARR  
COUNTY RECORDER  
FEE *7.00* DEP. *CM*

WHEN RECORDED, MAIL TO:

BARBARA REED  
4 PARK DRIVE  
CARSON CITY NV 89706

Escrow No.: W028ACCJW

AFFIDAVIT BY SURVIVING JOINT TENANT

STATE OF Nevada )  
 ) ss  
COUNTY OF Carson City )

BARBARA JEAN REED, being first duly sworn, deposes and says that SHE was a joint grantee with HER spouse, ALVIN STANLEY REED, now deceased, under the following deed:

A deed dated FEBRUARY 20, 1996, wherein RAYMOND M. MAZY AND SANDRA L. MAZY, was grantor, and ALVIN STANLEY REED AND BARBARA JEAN REED, HUSBAND AND WIFE AS JOINT TENANTS, were grantees, conveying real property having Assessor's Parcel No. 16-251-26, situate in the County of LYON, State of NEVADA, described as follows:

All that certain real property being a portion of the NE 1/4 of NW 1/4 of Section 32, T 16 N, R 21 E, M.D.B.&M., Lyon County, Nevada, and beint a portion of Parcel H, Lyon County Parcel Map 43203, described as follows:

Parcel 1 as shown on the Parcel Map for Raymond and Sandra Mazy, recorded in the Official Records of Lyon County, Nevada on March 4, 1988 as Document No. 114082.

Such deed was recorded on February 21, 1996, as Document No. 190403, Official Records, Lyon County, Nevada.

ALVIN STANLEY REED died in Reno, NV, Washoe County, Nevada, on March 29, 1999, and is the identical person named as ALVIN STANLEY REED in Certified Copy of Certificate of Death attached hereto, marked Exhibit "A", and by this reference made a part hereof.

Dated: APRIL 28, 19 99.

Barbara Jean Reed  
BARBARA JEAN REED

SUBSCRIBED AND SWORN to before me  
this 28th day of April, 1999.

By Barbara Jean Reed

Christie J. West  
Notary Public



233202